



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: October 29, 2014.

TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In Re:

FIRED UP, INC.

Debtor

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**Case No. 14-10447-tmd
(Chapter 11)**

**ORDER GRANTING DEBTOR'S OMNIBUS [SECOND] MOTION TO ASSUME
LEASES OF NON-RESIDENTIAL REAL PROPERTY**

CAME TO BE CONSIDERED on the 2nd day of October, 2014, the *Omnibus [Second] Motion to Assume Leases of Non-Residential Real Property* filed by the Debtor. Notice and opportunity to be heard having been properly provided and all objections having been resolved, the Court finds that good cause exists to permit the Debtor to assume the leases set forth in Exhibit "A", attached hereto as set forth below. The Debtor also announced that certain leases described on Exhibit "B" would be addressed through separate order. The Court therefore finds that the Motion is meritorious and should be granted. It is therefore

ORDERED that Debtor may assume the leases set forth in Exhibit "A" effective upon

the Effective Date of Debtor's Plan of Reorganization. It is further

ORDERED Debtor may assume such leases regardless whether they are in the name of the Debtor, Kona Restaurant Group, Inc., Carino's Italian Kitchen, Inc., SIK Acquisition Corp. or SIK Texas, LP. It is further

ORDERED that the modifications agreed to between the parties and referenced on the Motion shall take effect *nunc pro tunc* to the date that the modifications were executed unless otherwise specified by the parties. It is further

ORDERED that any cure payments on the assumed leases shall be made as agreed to by the parties or allowed by final order as provided in the plan. It is further

ORDERED that the leases set forth in Exhibit "B" shall be addressed by separate orders.

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Order Submitted By:
Barbara M. Barron/Stephen W. Sather
Barron & Newburger, P.C.
1212 Guadalupe, Suite 104
Austin, TX 78701

EXHIBIT A – LEASES BEING ASSUMED

Store No.	Location and Leasehold Property Address	Lessee ¹	Lessor (L)/Servicer (S) ²
21	Lubbock 6821 Slide Road Lubbock, TX 79424	KRG	Commercial Net Lease Realty, LP (L) 450 S. Orange Avenue, Suite 900 Orlando, FL 32801 National Retail Properties, L.P. (S) 450 S. Orange Avenue, Suite 900 Orlando, FL 32801
29	Little Rock 4221 Warden N. Little Rock, AR 72116	SIK Acquisitio n Corp., a Delaware Corp.	Simon Property Group, L.P. (L) c/o M.S. Management Associates, Inc. Merchant's Plaza 225 W. Washington Street Indianapolis, IN 46204 McCain Mall Company, LP (S) 867930 Reliable Parkway Chicago, IL 60686-0079
30	Katy 21875 Katy Freeway Katy, TX 77450	KRG	21875 Katy Freeway, LLC (L) Red Bank Avenue, LLC 106 Banyan Isle Dr.* Palm Beach Gardens, FL 33418 Brinker Texas, L.P. (L) Attn: General Counsel-Leasing 6820 LBJ Freeway Dallas, TX 75240
31	Waco 1411 N. Valley Mills Drive Waco, TX 76712	S.I.K. Texas, LP	Hoppenstein Properties, LLC. (L) Attn: Norman J. Hoppenstein 708 Franklin Avenue Waco, TX 76701
32	Round Rock 2600 N. IH-35, No. 35 Round Rock, TX 78681	KRG	Carino Round Rock, LP* (L) 8333 Douglas Avenue, Suite 1500 Dallas, TX 75225 Attn: Charlie Corson ccorson@centriccapitalinc.com Robert Williams (L) Zale/Corson Group, Centric Capital Partners rwilliams@centriccapitalinc.com
33	New Braunfels 1304 E. Common St., Ste. B New Braunfels, TX 78130	CIK	Chandelier Properties, Ltd.* (L) Hughes Interests, Inc., General Partner 301 Main Plaza, #392 New Braunfels, TX 78130
34	Lake Jackson 106 E. Highway 332 Lake Jackson, TX 77566	KRG	McLean Associates, LLC* (L) 2578 Enterprise Road, #342 Orange City, FL 32763

¹ KRG (Kona Restaurant Group, Inc.); CIK (Carino's Italian Kitchen, Inc.)

² Asterisk (*) denotes Scheduled Address.

35	College Station 620 Harvey Road College Station, TX 74880	KRG	Gibraltar 1031 Restaurants Acquisition No.1, LLC (L) P.O. Box 235169 Encinitas, CA 92023
36	Laredo 1603 San Dario Laredo, TX 78045	KRG	Moondance, Inc.* (L) c/o Ford Restaurant Group 1514 RR 620 South Lakeway, TX 78734
38	Brownsville 2600 Hwy 77/83 N. Brownsville, TX 78521	KRG	Moondance, Inc.* (L) c/o Ford Restaurant Group 1514 RR 620 South Lakeway, TX 78734
40	Victoria 4904 N. Navarro Victoria, TX 77904	KRG	AEI Income & Growth Fund 23 LLC; The Caves Family Trust dated June 12, 1997; The Judith Gilbert Cox Trust dated August 31, 2001; Doyle G. Davis; the Gross Family Farms, LLC; D.L. & P.D. Hovey Family Trust dated August 21, 1992; Mission Hills Apartments, LP; David Shine; and The Charles M. and Judith K. Westphal Community Trust dated June 2, 1994 (L) 1300 Wells Fargo Place 30 East Seventh Street St. Paul, MN 55101
43	Boise 1700 S. Entertainment Ave. Boise, ID 83709	KRG	Boise Spectrum-Dunlap, LLC* (L) 16897 Algonquin, Suite A Huntington Beach, CA 92649
45	Ammon 2833 South 25 th East Ammon, ID 83406	KRG	Tom & Joanne Sargis Family Trust (L) 55 Turnsworth Avenue Redwood City, CA 94062 Hawkins Companies Commercial Developers (S) 855 Broad Street, Suite 300 Boise, ID 83702
52	Rockwall 819 E. IH 30 Rockwall, TX	KRG	HAROLD WEINBERGER AS TRUSTEE OF THE HAROLD E. WIENBERGER 1998 FAMILY TRUST, as to an undivided 66.67% interest, and ELANA KROLL AS TRUSTEE OF THE ELANA KROLL FAMILY TRUST, as to an undivided 33.33% interest 1425 Camino Lujan San Diego, CA 92111
53	Denton 1516 Centre Place Drive Denton, TX 76205	KRG	Mary Jane Lawrence (L) 9317 Brightwood Court Northridge, CA 91325
55	Brodie 5601 Brodie Lane, #1600 Austin, TX 78745	KRG	AEI Exchange Services, Inc. on behalf of The Cheeseman Family Revocable Living Trust dated August 14 1989; The Coffey Family Limited Partnership; The Holland Island, LLC; Brian Jones and Deborah Jones; Robert L. Munz and Bonnie E. Munz; Gary J. Susak and Linda Susak; The Charles M. and Judith K. Westphal Community Trust dated 6/2/ 1994; FAE Holdings 373763R LLC; Giovanni E. Jackson; Antonio L. Rendall; (L)

			30 East Seventh Street St. Paul, MN 55101 Cassidy Turley Midwest, Inc. (S) Lock Box # 129 P.O. Box 1575 Minneapolis, MN 55480
60	Waxahachie 988 West 287 Bypass Waxahachie, TX 75165	KRG	Roger & Carol Flores Trust Dated March 10, 1981 (L) Attn: Roger Flores 549 Palomar Drive Palomar Park, CA 94602 RFCO549@gmail.com
64	Cedar Park 11620 FM 620 North Austin, TX 78750	KRG	Mary Jane Lawrence* (L) 9317 Brightwood Ct. Northridge, CA 91325
65	SA 410 231 Loop 410 SW San Antonio, TX 78238	KRG	Golden Ocean, LLC (L) Dr. & Mrs. Cyrus Goldin 10035 W. Desert Canyon Reno, NV 89511 Zivitz Family Trust c/o Leonard Zivitz 1337 Skyline Dr. Fullerton, CA 92831
71	Wallisville 5921 E. Sam Houston Pkw. Houston, TX 77049	KRG	Michelle Amirkhas* (L) 100 Rishell Drive Oakland, CA 94619
78	Pearland 3050 Silverlake Village Dr. Pearland, TX 77584	KRG	LMR Silverlake North, Ltd. (L) c/o Lasco Development Corp. 3301 Edloe Street, Suite 100 Houston, TX 77027
82	Alexandria 3213 MacArthur Drive Alexandria, LA 71303	KRG	Crock, LLC (L) c/o Commercial Realty Advisors, Inc. 4775 South Durango Drive, Suite 101 Las Vegas, NV 89147 Attn: Marilyn Gubler, Managing Member Crock, LLC (S) c/o Nevada Management Services P.O. Box 371330 Las Vegas, Nevada 89137-1330
83	Pharr 601 South Jackson Road Pharr, TX 78577	KRG	The L. Wayne Batmale and Therese Batmale Revocable Living Trust; Thomas J. Campbell; C & E DeVries Investment Company, LP; The Lilian E. Haijcek Family Trust dated October 13, 1992, Viking Nursery, Inc.; and Roediger Family LLC (L) 1300 Wells Fargo Place 30 East Seventh Street St. Paul, MN 55101
89	Baytown	KRG	Memorial Northwest Pavilion, Ltd.* (L)

	7017 Garth Road Baytown, TX 77521		1496 San Jacinto Mall Baytown, TX 77521
91	San Marcos 1235 IH 35 South San Marcos, TX 78666	KRG	EMC Realty Texas, LLC (L) c/o ERA Realty Co. 100 Quentin Roosevelt Blvd., Suite 400 Garden City, NY 11530 Attn: Carmen Perez
105	Odessa 5100 E. 42 nd Street Odessa, TX 79762	KRG	Leeco Energy & Investments* (L) 3501 Billy Hext Road Odessa, TX 79765
107	Joplin 137 N. Rangeline Rd Joplin, MO 64801	KRG	Northpark Mall/Joplin, LLC (L) Attn: Lockbox #74265* P.O. Box 74265 Cleveland, OH 44194-4265
108	Kansas City 1706 Village West Parkway Kansas City, KS 66111	KRG	KKR Legends, LLC* (L) 26616 Network Place Chicago, IL 60673 KKR Legends, LLC (L) c/o Legacy Asset Management, LLC 4717 Central Kansas City, MO 64112 KKR Legends, LLC (L) c/o Legacy Asset Management, LLC 1843 Village West Parkway, Suite C127 Kansas City, KS 66111 Donna Knopp (S) Legends Outlets 1843 Village West Parkway, Suite C127 Kansas City, KS 66111
111	Hurst 2174 Precinct Line Road Hurst, TX 76054	KRG	Hurst Precinct, Ltd. c/o Hank Dickerson & Company 8333 Douglas Ave., S. 1300-LB #72 Dallas, TX 75225 Attn: John Dickerson
112	Slaughter 9500 S. IH-35 Service Rd. SB Bldg. B Austin, TX 78748	KRG	RC Inland REIT, LP* (L) 62054 Collections Center Drive Chicago, IL 60693-0621 Inland Western Austin Southpark Meadows II Limited Partnership (S) 62054 Collections Center Drive Chicago, IL 60693
CORP	Corporate 13420 Galleria Circle Building A, Suite 250 Austin, TX 78738	Fired Up, Inc.	Hill Country Texas Galleria, LLC (L) 12700 Hill Country Blvd., Suite T-100 Bee Cave, TX 78738 Attn: Adrian Overstreet
CORP	Corporate 13420 Galleria Circle Building A, Suite 250	Cloud Imperium Games	Fired Up, Inc. (L) 1514 RR 620 South Austin, TX 78734

	Austin, TX 78738	Texas, LLC ¹	Attn: Creed Ford
CORP	Corporate 1514 RR 620 South Austin, TX 78734	Fired Up, Inc. ¹	Ford Restaurant Group, Inc. (L) 1514 RR 620 South Austin, TX 78734
CORP	Corporate 3555 RR 620 South Austin, TX 78734	Fired Up, Inc.	Moondance Investments, Ltd. (L) 3555 RR 620 South Austin, TX 78734

¹ Sub-lessee

EXHIBIT B –**LEASES BEING ADDRESSED IN SEPARATE ORDERS**

Store No.	Location and Leasehold Property Address	Lessee	Lessor(L)/Servicer(S)
41	Corpus Christi 1652 S. Padre Island Drive Corpus Christi, TX 78416	KRG	South Coast Plaza, LLC* (L) c/o Property Managers, LLC P.O. Box 3218 Fort Worth, TX 76113
54	Grand Prairie 2750 West Interstate 20 Grand Prairie, TX	KRG	ARC CAFEUSA001, LLC* (L) American Realty Capital Attn: Cindy Dip 200 Dryden Road, Suite 1100 Dresher, PA 19025 cdip@arlcapi.com
56	Rogers 535 North 46 th Street Rogers, AR 72756	KRG	ARC CAFEUSA001, LLC* (L) American Realty Capital Attn: Cindy Dip 200 Dryden Road, Suite 1100 Dresher, PA 19025 cdip@arlcapi.com
69	Houston 290 19820 Northwest Freeway Houston, TX 77065-4017	KRG	ARC CAFEUSA001, LLC* (L) American Realty Capital Attn: Cindy Dip 200 Dryden Road, Suite 1100 Dresher, PA 19025
73	Meridian 3551 E. Fairview Avenue Meridian, ID 83642	KRG	GS II Meridian Crossroads, LLC* (L) P.O. Box 92388 Cleveland, OH 44193 GS II Meridian Crossroads, LLC (L) 3300 Enterprise Parkway Beachwood, OH 44122 Diversified Realty Corp. (S) 3300 Enterprise Parkway Beachwood, OH 44122

75	Parmer 12901 N I-35 , Bldg. 16 Austin, TX 78753	KRG	Kerri Knows, LLC (L) PO Box 7906 Beverly Hills, CA 90212
87	Lafayette 4321 Ambassador Caffery Pkwy Lafayette, LA 70508	KRG	RB River VI, LLC; WRI River Marketplace, LLC; RB River V, LLC; and RB River VI, LLC* (L) c/o Stirling Properties, LLC 109 Northpark Blvd., Suite 300 Covington, LA 70433
94	San Angelo 1407 Knickerbocker Road San Angelo, TX 76904	KRG	ARC CAFEUSA001, LLC* (L) American Realty Capital Attn: Cindy Dip 200 Dryden Road, Suite 1100 Dresher, PA 19025 cdip@arlcapi.com
100	Midland 4711 West Loop 250 N. Midland, TX 79707	KRG	ARC CAFEUSA001, LLC* (L) American Realty Capital Attn: Cindy Dip 200 Dryden Road, Suite 1100 Dresher, PA 19025 cdip@arlcapi.com
103	SA Military 3147 S.E. Military Dr. San Antonio, TX 78223	KRG	MB San Antonio Brooks, LP (L) 2901 Butterfield Road Oak Brook, IL 60523 Inland American Retail Management, LLC/ Bldg. #4554* (S) 13977 Collections Center Drive Chicago, IL 60693